

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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|---------------------------|---|------------------|
| _____ |) | |
| UNITED STATES OF AMERICA, |) | |
| |) | |
| |) | |
| v. |) | CRIMINAL ACTION |
| |) | NO. 05-40033-FDS |
| THOMAS VIGLIATURA, |) | |
| MATTHEW McLAUGHLIN, |) | |
| BRIAN BENEDICT and |) | |
| HERIBERTO ARROYO, |) | |
| Defendants, |) | |
| _____ |) | |

INITIAL STATUS REPORT
November 14, 2005

SWARTWOOD, C.M.J.

The following is an Initial Status Report to Saylor, J. to whom this case is assigned:

1. Discovery

The Government has completed its obligation for automatic discovery and several of Defendant's counsel have requested additional time to review that discovery. I have granted that request. Defendants may file motions for discovery by January 5, 2006 and the Government shall file its response to those motions by January 23, 2006.

2. Expert Discovery

The Government will serve Defendants with its expert discovery by December 5, 2005 and the Defendants shall reciprocate with their

expert discovery by January 9, 2006.

3. Further Status Conference

A further status conference shall be held in this case on January 25, 2006, at 2:00 p.m., in Courtroom 1, Fifth Floor, Donohue Federal Building, United States Courthouse, 595 Main Street, Worcester, Massachusetts.

3. Excludable Time

At the request of the Government and with the assent of counsel for the Defendants, I am excluding from the Speedy Trial Act, the period from September 28, 2005 (date of expiration of prior order of excludable time) through January 23, 2006 (date by which the Government is to file its opposition to Defendants' Motion For Discovery). Therefore, assuming no further order of excludable time under the plan for prompt disposition of criminal cases, this case must be tried on or before Wednesday, April 5, 2006.

/s/Charles B. Swartwood, III
CHARLES B. SWARTWOOD, III
CHIEF MAGISTRATE JUDGE